

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 CV 350 MOC WCM

MARY MARTIN,

Plaintiff,

v.

NAKISHA GARRETT, in her individual
capacity as employee of the North Carolina
Department of Public Safety; **BIANCA**
HARRIS, in her individual capacity as warden
of North Carolina Correctional Institution for
Women; **MS. THOMPCKINS**, in her individual
capacity as an employee of the North Carolina
Department of Public Safety; **WALLY**
WAZAN, in his individual capacity as
employee of the North Carolina Department
of Commerce,

Defendants.

ORDER

This matter is before the Court on a Consent Motion for Leave to Depose Incarcerated Prisoners (the “Motion,” Doc. 89) filed by Defendant Wally Wazan (“Wazan”).

Wazan seeks leave to take the depositions of two incarcerated inmates, Kesha Monique Moore (“Moore”) and Dawn Michelle Murphy (“Murphy”), pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure. Wazan states that Plaintiff listed Moore and Murphy in Plaintiff’s initial disclosures as individuals who had relevant information regarding this matter, and

similarly identified them during her deposition. Wazan states in the Motion that both Moore and Murphy are currently incarcerated, and counsel for all parties have agreed upon a mutually convenient date for these depositions.

The Motion will be granted, and counsel will be allowed to depose Kesha Monique Moore and Dawn Michelle Murphy at the institution where they are incarcerated in a room to be designated by the administrator of the institution at a date to be selected by the administrator and Wazan's counsel. A guard may be present during the deposition, if directed by the institution's administrator.

IT IS THEREFORE ORDERED that the Consent Motion for Leave to Depose Incarcerated Prisoners (Doc. 89) is **GRANTED**.

Signed: March 5, 2021

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

